

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

January 9, 2015
YOUNG D.J.

MOTION ALLOWED

William A. Young
U.S. District Judge

UNITED STATES OF AMERICA)

v.)

ELIZABETH V. TAVARES)

No. 12-40026-WGY

EMERGENCY

**CONDITIONAL MOTION OF DEFENDANT ELIZABETH V. TAVARES FOR
EXTENSION OF SELF-REPORT DATE**

Now comes the defendant Elizabeth V. Tavares and conditionally requests that, if the First Circuit has not ruled on her Motion for Release Pending Appeal by 10:00 am on January 12, 2015, this Honorable Court extend her self-report date from January 12, 2015, to January 19, 2015, to allow additional time for the First Circuit to rule on her Motion before she begins to serve her sentence.

As reason therefor, defendant states:

1. On November 13, 2014, the Court sentenced her and set a date of January 12, 2015, at 2:00 p.m. for her to self-report to her designated place of incarceration.

2. Because Judgment did not enter in this case until December 9, 2014, her appeal was not docketed in the First Circuit until December 12, 2014. She filed her Motion for Release Pending Appeal in the First Circuit that same day, December 12, 2014.

3. On December 19, 2014, the government filed a motion in the First Circuit seeking an extension of time to file its response to Ms. Tavares' Motion for Release Pending Appeal until January 5, 2015. The government's extension motion was granted by the First Circuit, and the government filed its opposition to her motion for release pending appeal on January 5, 2015, at 6:06

p.m. Ms. Tavares' counsel prepared her reply to the government's opposition as expeditiously as possible, and it was filed in the First Circuit on January 7, 2015, at 8:51 a.m.

4. As of the filing of this motion, the First Circuit has not yet ruled on her Motion for Release Pending Appeal. Defendant therefore requests that, if the Court has not ruled on her motion by 10:00 a.m. on January 12, 2015, this Court extend her self-report date until January 19, 2015, to provide the necessary additional time for the First Circuit to rule on the motion before she reports to begin service of her sentence. This Court retains jurisdiction to grant the requested relief.

5. The government does not assent to the granting of this motion.

Respectfully submitted,
By her attorney,

/s/ Martin G. Weinberg
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CERTIFICATE OF SERVICE

I, Martin G. Weinberg, hereby certify that on this 9th day of January, 2015, I caused the within Motion to be served on all counsel of record through its filing with this Court's CM/ECF system.

/s/ Martin G. Weinberg
Martin. G. Weinberg